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DOCKET NO.: T0428.70092US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jere R. Anderson et al.
Serial No.: 10/767,595
Confirmation No.: 5214
Filed: January 29, 2004
For: MICROCELLULAR EXTRUSION/BLOW MOLDING PROCESS AND
ARTICLE MADE THEREBY
Examiner: Not yet assigned
Art Unit: 1775

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 29 day of October, 2004.


Christine A. Gardner

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement;
- PTO Form 1449 with cited references; and
- Return Receipt Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

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Docket No.: T0428.70092US01
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A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:



Robert H. Walat, Reg. No.: 46,324
Timothy J. Oyer, Ph.D., Reg. No.: 36,628
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Docket No.: T0428.70092US01
Date: October 29, 2004
xNDDx



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Christine A. Gardner

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the enclosed Office Action from a corresponding foreign national application (Chinese Patent Application No. 98813127.7).

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

CN1066858A was cited in a corresponding foreign national application (Chinese Patent Application No. 98813127.7). As noted above, Applicant has enclosed the Office Action citing this reference. Applicant is also citing U.S. Patent No. 5,147,896 which is an English language family member of CN1066858A.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:



Robert H. Walat, Reg. No. 46,324
Timothy J. Oyer, Ph.D., Reg No. 36,628
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600 Atlantic Avenue
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Telephone: (617) 646-8000

Docket No.: T0428.70092US01
Date: October 29, 2004
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FORM PTO-1449/A and Modified

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICATION NO.: 10/767,595 ATTY. DOCKET NO.: T0428.70092US01

FILING DATE: January 29, 2004 CONFIRMATION NO.: 5214

APPLICANT: Jere R. Anderson et al.

GROUP ART UNIT: 1775 EXAMINER: Leo B. Tentoni

Sheet 1 of 3

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	*A1	3,225,127		Scott, Jr.	12-21-1965
	*A2	3,227,664		Blades et al.	01-04-1966
	*A3	3,227,784		Blades et al.	01-04-1966
	*A4	3,277,221		Parrish	10-04-1966
	*A5	3,375,211		Parrish	03-26-1968
	*A6	3,375,212		Bonner, Jr.	03-26-1968
	*A7	3,384,531		Parrish	05-21-1968
	*A8	3,491,032		Skochdopole et al.	01-20-1970
	*A9	3,584,090		Parrish	06-08-1971
	*A10	3,637,458		Parrish	01-25-1972
	*A11	3,787,543		Parrish	01-22-1974
	*A12	3,812,225		Hosoda et al.	05-21-1974
	*A13	3,939,236		Hahn	02-17-1976
	*A14	4,244,897		Moon	01-13-1981
	*A15	4,264,672		Taylor-Brown et al.	04-28-1981
	*A16	4,444,702		Thomas et al.	04-24-1984
	*A17	4,473,665		Martini-Vvedensky et al.	09-25-1984
	*A18	4,627,177		Meyers	12-09-1986
	*A19	4,716,256		Hardenbrook et al.	08-02-1988
	*A20	4,791,144		Nagou et al.	12-13-1988
	*A21	4,832,770		Nojiri et al.	05-23-1989
	*A22	4,874,649		Dabuenbuchel et al.	10-17-1989
	*A23	5,034,171		Kiczek et al.	07-23-1991
	*A24	5,110,998		Muschiatti	05-05-1992
	*A25	5,116,881		Park et al.	05-26-1992
	*A26	5,128,382		Elliot, Jr. et al.	07-07-1992
	A27	5,147,896		York	09-15-1992
	*A28	5,149,579		Park et al.	09-22-1992
	*A29	5,158,986		Cha et al.	10-27-1992
	*A30	5,160,674		Colton et al.	11-03-1992
	*A31	5,180,751		Park et al.	01-19-1993
	*A32	5,182,307		Kumar	01-26-1993
	*A33	5,334,356		Baldwin et al.	08-02-1994
	*A34	5,358,675		Campbell et al.	10-25-1994
	*A35	5,468,530		Gotz et al.	11-21-1995
	*A36	5,500,450		Simandl et al.	03-19-1996
	*A37	5,527,573		Park et al.	06-18-1996



FORM PTO-1449/A and B (Information Disclosure Statement by Applicant) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/767,595		ATTY. DOCKET NO.: T0428.70092US01	
				FILING DATE: January 29, 2004		CONFIRMATION NO.: 5214	
				APPLICANT: Jere R. Anderson et al.			
				GROUP ART UNIT: 1775		EXAMINER: Leo B. Tentoni	
Sheet	2	of	3				

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	*A38	5,571,848		Mortensen et al.	11-05-1996
	*A39	5,670,102		Perman et al.	09-23-1997
	*A40	5,684,055		Kumar et al.	11-04-1997
	*A41	5,830,393		Nishikawa et al.	11-03-1998
	*A42	5,844,009		Hurley et al.	12-01-1998
	*A43	5,866,053		Park et al.	02-02-1999
	*A44	5,883,144		Bambara et al.	03-16-1999
	*A45	5,883,145		Hurley et al.	03-16-1999
	*A46	5,904,965		Noel et al.	05-18-1999
	*A47	5,955,511		Handa et al.	09-21-1999
	A48	6,169,122		Blizard et al.	01-02-2001
	*A49	6,284,810		Burnham et al.	09-04-2001
	*A50	6,376,059		Anderson et al.	04-23-2002
	A51	6,706,223	B1	Anderson et al.	03-16-2004

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	*B1	GB	1 456 171		Krauss-Maffei Aktiengesellschaft	11-17-1975	
	*B2	EP	0707935	A2	BASF	04-24-1996	
	*B3	EP	0799853	A1	Mitsui Toatsu Chemicals, Inc.	10-08-1997	
	*B4	EP	0818292	A2	Mitsui Toatsu Chemicals, Inc.	01-14-1998	
	*B5	WO	89/00918		Colton	02-09-1989	
	*B6	WO	90/07546		Chum	07-12-1990	
	*B7	WO	95/24440		Sanyasi	09-14-1995	
	*B8	WO	97/28050		Wella	08-07-1997	
	*B9	WO	98/08667	A2	Trexel, Inc.	03-05-1998	
	*B10	WO	98/31521		Pierick et al.	07-23-1998	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	*C1	D. F. BALDWIN et al., "A processing system for the extrusion of microcellular polymer sheets: shaping and cell growth control," <i>Cellular and Microcellular Materials</i> , Nov. 1994, MD-Vol. 53, pp. 95-107 (ASME 1994).		
	*C2	C. PARK et al., "Effect of the pressure drop rate on cell nucleation in continuous processing of microcellular polymers," <i>Polymer Engineering and Science</i> , March 1995, Vol. 35, No. 5, pp. 432-440.		



FORM PTO-1449/A and B (Modified)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 3 of 3

APPLICATION NO.: 10/767,595 ATTY. DOCKET NO.: T0428.70092US01

FILING DATE: January 29, 2004 CONFIRMATION NO.: 5214

APPLICANT: Jere R. Anderson et al.

GROUP ART UNIT: 1775 EXAMINER: Not yet assigned

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	*C3	C. PARK et al., "Filamentary extrusion of microcellular polymers using a rapid decompressive element," <i>Polymer Engineering & Science</i> , January 1996, Vol. 36, No. 1, pp. 34-48, XP000583331, see page 42, column 2 – pg. 46.		
	C4	Office Action from Chinese Patent Application No. 98813127.7		

EXAMINE R

DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/241,352, filed February 2, 1999, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an IDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]